

**MEMO ENDORSED**



**CRUMILLER P.C.**

April 2, 2024

*VIA ECF*

Honorable Judge Dale E. Ho, U.S.D.J.  
Thurgood Marshall Courthouse  
40 Foley Square, Courtroom 905  
New York, NY 10007

Application GRANTED. The case management plan and joint letter shall be submitted by **June 12, 2024**. The initial pretrial conference is adjourned to **June 20, 2024, at 11:00 a.m. (E.T.)**. The parties shall dial 646-453-4442, enter the meeting code 435217537, and press pound (#). Additionally, Plaintiff shall file a status letter by **May 2, 2024**, updating the Court on the status of its service efforts.

SO ORDERED. The Clerk of Court is respectfully requested to terminate ECF No. 14.

RE: *Christopher Rodriguez v. Equinox Holdings, Inc., et al.*, Case No. 1:24-cv-01238 Dale E. Ho  
United States District Judge

Dear Judge Ho,

New York, New York  
Dated: April 2, 2024

This firm represents Plaintiff Christopher Rodriguez in the above-referenced matter. Plaintiff submits this letter to respectfully request an extension of the Court's April 10, 2024, deadline to file a joint letter and proposed Case Management Plan. Additionally, Plaintiff respectfully requests an adjournment of the Court's Initial Case Management Conference, currently scheduled for April 18, 2024, at 11:00 a.m. via Microsoft Teams. This is Plaintiff's first request for extension and adjournment. Defendants have not consented to Plaintiff's request because Defendants have not yet appeared in this case.

There are four Defendants in this matter: Equinox Holdings, Inc., Equinox East 92<sup>nd</sup> Street, Inc., Jose Taveras, and Christopher Maltman. The only Defendant on which service has been effectuated at this time is East 92<sup>nd</sup> Street Equinox. *See* Dkt. No. 12. Plaintiff continues to diligently attempt service on the remaining three Defendants. Plaintiff requests at minimum a 60-day extension to give Defendants time to appear, answer the Complaint, and file a joint letter and proposed Case Management Plan with us. Similarly, Plaintiff also respectfully requests an adjournment of the Initial Pretrial Conference from April 18, 2024, to June 20, 2024, at the earliest. Plaintiff hopes that these lengthy extensions will allow all Defendants to appear with counsel, such that the parties have an opportunity to meet and confer.


Plaintiff diligently continues to attempt to effectuate service upon Defendants. On March 9, 2024, our process server attempted to serve Defendant Christopher Maltman at his last known address at 316 W 93<sup>rd</sup> Street, Apt. 1D, New York, New York. The individual who answered the door at this residence claimed not to know Defendant Maltman. On March 12, 2024, our process server attempted to serve Defendant Equinox Holdings, Inc. at 342 Madison Avenue, New York, New York, but our process server was told by a front desk associate that Defendant Equinox Holdings, Inc. did not reside at this address. On March 12, 2024, Plaintiff attempted to serve Defendant Jose Taveras at his last known address of 374 E 159<sup>th</sup> St., Apt. 2C, Bronx, New York. Plaintiff was unable to serve Defendant Taveras as the individual who answered the door claimed not to know Defendant Taveras. On March 28, 2024, our process server attempted to

serve Defendant Equinox Holdings, Inc. again at its headquarters at 31 Hudson Yards, New York, New York, but could not get through security. We are currently attempting service on Defendant Equinox Holdings, Inc. through the Secretary of State. On March 29, 2024, Plaintiff's process server served an individual by the name of Jose Taveras via nail and mail at 374 E 159<sup>th</sup> St, Apt 2C, Bronx, New York; our office, in conjunction with the process server is ensuring that we have identified the correct individual.

In accordance with the Court's February 22, 2024 Order (Dkt. No. 11), we have sent a copy of the Court's Order and the Court's Individual Practices to the Defendants.

We thank the Court for its time and attention to this matter. We look forward to meeting with Your Honor at the Initial Pretrial Conference.

Respectfully submitted,



Olivia Davis

cc:  
encl.